

OLD METHODS REVOLUTIONIZED

Eaton-Thompson Direct State
Primary Bill Now a Law.

TEXT OF NEW ACT GIVEN BELOW

Provision Made For the Nomination of Party Candidates For United States Senator by a Preference Vote—Candidates For Elective Offices to Be Named at Primary Elections—Regulations and Penalties Prescribed.

(Concluded from last week.)

Counting of Ballots.

Sec. 25. Refers to the counting of ballots and certifying returns, which is to be done in the same manner as is provided, or may hereafter be provided for counting, certifying and signing the official returns in the general elections. Officers of election shall count the number of ballots cast by each political party, and shall keep them separate so that all the ballots belonging to one party shall be in one bunch and the ballots belonging to another party in another bunch, and so on as to all parties who participate in such primary election. These boxes, sealed, shall be turned over to the county clerk, as is now provided at a regular election. Where a contest has been instituted and not disposed of, the ballot boxes shall not be opened by said clerk until after said contest has been finally disposed of.

Canvassing Returns.

Sec. 26. This section regulates canvassing of returns and certificates of nomination. On the third day after the close of any primary nominating election the county election commissioners of each county shall proceed to canvass the returns of said primary elections and tabulate the same. Such tabulation of votes for nominations for United States senator and for all other candidates for office whose nomination papers are now, or may hereafter be required to be filed in the office of the secretary of state, shall be made on one separate sheet for each political party, and shall be immediately transmitted to the secretary of state. The tabulation of votes for all offices for which nomination papers are required to be filed in the county court clerk's office shall be in another separate sheet of paper for each political party and shall be filed in the county court clerk's office immediately after the canvass of the returns and tabulation of the votes by said election commissioners and certificates of nomination shall immediately issue to the persons receiving the greatest number of votes for the offices for which they were candidates. The secretary of state shall, not less than 20 days before the day on which the general November election is held, certify, under the seal of his office, the persons whose names are entitled to be printed on the official ballot at the November election as the candidates of the various political parties for offices to be filled at such election, and who have been nominated as herein provided. He shall make and transmit by registered mail a duplicate of such list and certificate of nomination of candidates for offices to the county clerks of every county in the state where the candidate is to be voted for by the state-at-large, and he shall so transmit the names of such candidates to the county court clerks of each and every county in the district in which such candidate is to be voted for by a district smaller than the state.

On the fourteenth day after such primary nominating election the county election commissioners of the largest county in each legislative district in the state that is composed of two or more counties, shall assemble at the county clerk's office in said county and canvass the returns that have been certified by the election commissioners of each county in such district for state senator and for representative, and they shall issue to the person receiving the greatest number of votes for the office for which he was a candidate a certificate of

nomination, which certificate shall, not less than 15 days next before the election is held, be filed in the office of the county clerk of each county comprising such legislative or senatorial district. On the fourteenth day after such primary nominating election the state board of election commissioners shall meet at the Capitol and canvass the returns of said primary election that has been certified and filed with the secretary of state for all the political parties entitled to participate in such primary nominating election, and after they have completed the tabulation and canvass of the returns of said primary nominating election they shall immediately certify to the same, and they shall issue to the candidate of each political party receiving the highest number of votes for the office for which he was a candidate a certificate of nomination, which certificate shall, not less than 30 days next before the day on which the general election is held, be filed in the office of the secretary of state.

Court Review.

Sec. 27. Whenever it shall be made to appear by affidavit filed in the circuit court that an error or omission has occurred, or is about to occur, in the placing of any name on an official primary ballot, or that an error or wrong has been committed, or is about to be committed, in printing such ballot, or in the performance of any duty imposed by this act, the court shall order the officer or person charged with such error, wrong or neglect, forthwith to correct the error, desist from the wrongful act or perform the duty, or show cause why he should not be compelled to do so. Failure to obey the orders of the judge or court shall be contempt of court and punishable as such. If the circuit court be not in session in the county the circuit judge shall hear and determine the complaint in vacation unless he be absent from the county, in which case said affidavit shall be filed before the judge of the county court, who shall have full power to hear and determine the complaint and make appropriate orders thereon. The orders of a court or judge under this section shall be final and not appealable. Only candidates may institute proceedings under this section. In case a charge under this section is directed against the secretary of state or any other state officer, the affidavit shall be filed in the Franklin circuit court.

Contests.

Sec. 28. Any candidate wishing to contest the nomination of any other candidate who was voted for at any primary election held under this act shall give notice in writing to the person whose nomination he intends to contest, stating the grounds of such contest, within five days from the time the election commissioners shall have awarded the certificate of nomination to such candidate whose nomination is contested. Said notice shall be served in the same manner as a summons from the circuit court, and shall warn the contestee of the time and place, when and where the contestee shall be required to answer and defend such contest, which shall not be less than three, nor more than 10 days after the service thereof. Such contest shall be tried by the judge of the circuit court of the county in which the contestee resides or is served. Upon return of said notice, properly executed as herein provided, to the office of the circuit clerk of the county in which said contestee resides or is served with such notice of contest, it shall be the duty of the clerk of the circuit court to immediately docket said cause and to immediately notify the presiding judge of the circuit court of said county that such contest has been instituted; provided, that in counties constituting separate circuit court districts and having more than one circuit judge, the judge who shall hear and determine such cause shall be determined by lot. In trying such contests the court shall hear and determine all questions of law and fact without the intervention of a jury, and may examine the witnesses orally or require the parties to take the evidence by depositions, in the discretion of the court, or as may be agreed by the parties; provided, however, that if the evidence is taken orally either party may have the right to require it to be taken by the official stenographer or reporter for the court.

The court may require the contestant, or the person who has the burden of proof under the issues joined, to complete his proof in not less than five days, and the contestee, or the person not having the burden, to complete his proof in not less than five days thereafter, and each party may be given one day additional for producing evidence in rebuttal, and no greater time shall be extended unless the court be satisfied that the ends of justice demand it. The court shall, immediately after the evidence is concluded, consider said contest and determine the same, and his judgment shall be filed in the office of the circuit court clerk, and shall have the same force and effect as a judgment rendered by the court in term time. The party desiring to appeal from the judgment of the court shall, on the same day, after the same is rendered, execute a supersedeas bond in the same form and to the same effect as other supersedeas bonds in other civil actions for an appeal to the court of appeals.

In Court of Appeals.

In the event of an appeal to the court of appeals it is required that the original papers in said contest, including such transcript of evidence as may be furnished or as may be required by the court or by the parties,

shall be transmitted to the clerk of the court of appeals, which record shall be delivered to the chief justice, and said contest shall have precedence over all other business and causes then pending in the court of appeals, and shall be heard and disposed of by the court of appeals as speedily as the exigencies of the case will admit.

If on the trial of such contest the issue is finally decided in favor of the contestee this fact shall be certified to the secretary of state and to the county court clerk of the county in which the cause is finally determined. If said contest is finally decided in favor of the contestant, this fact shall be certified to the secretary of state and to the clerk of the circuit court of the county in which the contest originated; and if the contest was of a nomination that is required to be certified to the secretary of state, then the secretary of state will place the name of the successful contestant on the ticket in the place of the name of the contestee to be voted for by his political party at the succeeding November election. If the nomination is one that is required to be certified to the county clerk, the county court clerk or clerks of the county or counties in which such candidate is to be voted for, shall place the name of the successful contestant on the ballot of his political party in lieu of the name of the contestee, to be voted for at the succeeding November election; provided, however, that when the contests provided for in this act shall be for nomination to offices for the state-at-large, the notice of the contest shall be filed and the contest tried in the Franklin circuit court; but shall otherwise be subject to the provisions of this act.

Sec. 29. Election Supplies and Expenses—All the supplies for holding said primary elections, and all the expenses of such primary elections shall be furnished and paid for in the same manner and by the same authority as the like supplies and expenses of the general elections. Officers shall receive the same fees for services rendered in the holding of the primary nominating election as are paid for the same or similar services in holding the general election, and payable in the same manner and by the same authority. Sec. 30 provides for fees for services of county clerks.

Sec. 31. Forgery of Signatures—Any person who shall forge any name of a signer to a nomination paper shall be guilty of forgery and, on conviction, be punished accordingly.

Sec. 32. Suppression of Nomination Papers—Any person who, being in possession of nomination papers entitled to be filed under this act, shall wrongfully either alter, mutilate or suppress, neglect or fail to cause the same to be filed at the proper time in the proper office, shall be guilty of a misdemeanor, and on conviction be punished by imprisonment in the county jail not to exceed six months, or by a fine not to exceed \$500, or both such fine and imprisonment.

Penalties.

Sec. 33. County Clerk—Penalty Against for Wrongful Acts—The county clerk shall be under the same duties and subject to the same penalties for failure to perform same, with reference to printing the ballots for primary election held under this act as now is with reference to the November elections. Any county clerk who shall knowingly cause to be printed on any official primary ballot the name of any candidate who has not filed the nomination paper required by this act, or who shall knowingly fail to cause the name of any with to be printed upon the ballot, candidate who has complied therewith or who shall knowingly cause to be printed upon the ballot for the regular election the name of any political party embraced in this act who was not nominated in the manner provided in this act, shall forfeit his office and be guilty of a felony, and upon conviction be confined in the penitentiary for not less than one year nor more than three years.

Sec. 34. Secretary of State—Penalties Against for Wrongful Acts—Any secretary of state who shall knowingly certify to the county clerk of any county the name of any candidate who has not filed the nomination paper provided for by this act, or who shall knowingly fail to certify the name of any candidate for whom the proper nominating paper has been filed with him as herein provided, or who shall knowingly certify to any county clerk the name of any candidate of any political party embraced in this act, to be printed on the ballots for the November election, who was not nominated in the manner provided in this act, shall forfeit his office and be guilty of a felony, and upon conviction be confined in the penitentiary for not less than one year nor more than three years.

Sec. 35. Penalties—Any act or deed denounced by the general laws of the state concerning elections shall also be an offense under this act, and shall be punished in the same form.

Sec. 36. Applies the rules of general elections to primaries.

Sec. 37. Repeals all acts or parts of acts inconsistent with this act.

Sec. 38. Emergency Clause—Whereas, under the provisions of this act the full time allowed for the circulation and signing of petitions for nominations and for filing same is such as to make it doubtful whether the primary election under this act could be held in the year 1912 if the act is not required to take effect until 90 days after the expiration of this session of the general assembly, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

A SHARP DEMAND FOR FIVE-DOLLAR CIGARS

They Are Sixteen Inches Long
and There is a Big Demand
For Them

The demand for cigars selling at \$5 each is so great that it cannot be supplied, according to B. F. Alexander, a cigar salesman of Havana, Cuba, who arrived in St. Louis yesterday.

"We could dispose of 10 times as many five-dollar cigars if we were able to turn them out," declared Alexander at the Planters' Hotel. "The difficulty is in the wrapper, which must be very large."

"You are likely to sort 100 bundles of tobacco and find only 100 wrappers suitable for this kind of a cigar."

From a sample case containing 162 different sizes and prices of cigars Alexander took one of the five-dollar brand, known in the trade as "promonties," just as the twenty-five-cent straights are called perfectos.

One feels like taking off his hat and bowing as the apex of nicotine luxury comes into view. It looks more like a yellow-colored Roman candle than a cigar. In size it is between 15 and 16 inches long, and 1,000 will contain 120 pounds of tobacco, as compared with 14 pounds to 1,000 perfectos.

"These are bought mostly by people who enjoy the novelty of smoking such a cigar," said Alexander. "Banquets and smokers attended by wealthy men are the best buyers of the five-dollar kind. The one place in the world which takes more than any other is Heidelberg, Germany. The students at the university there never seem to get enough of them. I have been told that besides buying them for smoking in the ordinary way, they sometimes will put one of these into a water pipe of the Oriental type, then five or six students will get around the pipe and smoke it."

Size does not always indicate value, according to Alexander. One insignificant little cigar which most people would take for a "stogie" really sells at \$1.50, while a larger and prettier one sells for a beggarly 50 cents each.

"These stories about the big financiers of the East and of Europe smoking cigars a foot long are all bosh," declared the salesman. "While they pay as much as \$3 and \$4 apiece for their cigars, these are, generally speaking, of the ordinary quality and size. The cost is in the extra quality of the wrapper and filler, not in the size of the cigars. Such cigars generally are made to order."—[St. Louis Republic.]

C. A. Glossner, 24 Ontario St., Rochester, N. Y., has recovered from a long and severe attack of kidney trouble, his cure being due to Foley Kidney Pills. After detailing his case, he says: "I am only sorry I did not learn sooner of Foley Kidney Pills. In a few days' time my backache completely left me and I felt greatly improved. My kidneys became stronger, dizzy spells left me and I was no longer annoyed at night. I feel 100 per cent better since using Foley Kidney Pills." Tonic in action, quick in results. Try them. For sale by all dealers.

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Tattle—"Touring, talking, sewing or washing?"

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"Cardui Cured Me"

For nearly ten years, at different times, Mrs. Mary Jin's of Treadway, Tenn., suffered with womanly troubles. She says: "At last, I took down and thought I would die. I could not sleep. I couldn't eat. I had pains all over. The doctors gave me up. I read that Cardui had helped so many, and I began to take it, and it cured me. Cardui saved my life! Now, I can do anything."

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If you are weak, tired, worn-out, or suffer from any of the pains peculiar to weak women, such as headache, backache, dragging-down feelings, pains in arm, side, hip or limbs, and other symptoms of womanly trouble, you should try Cardui, the woman's tonic. Prepared from perfectly harmless, vegetable ingredients, Cardui is the best remedy for you to use, as it can do you nothing but good. It contains no dangerous drugs. It has no bad after-effects. Ask your druggist. He sells and recommends Cardui.

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